

**CITY OF NORWALK  
INLAND WETLAND AGENCY  
October 13th, 2009**

**PRESENT:** Karen Destefanis (6:12); D. Seeley Hubbard; Ed Holowinko;  
Matthew Caputo; Anne Cagnina; Emily Wilson

**STAFF:** Alexis Cherichetti, Senior Environmental Officer;  
Yarifalia Bletsas, Environmental Compliance Officer

**OTHERS:** Atty. David Waters; Holt McChord, McChord Engineering;  
William Spielman; Peter DeLeo; Atty. Liz Suchy; Fred Mascia;  
Robert Jontos; Kim Morque; Cecelia Lapatelli; Rick Giordano;  
Kenneth Sosnoski, Jr.; David Park; Carolann Currie; Ivo Nenin;  
Milena Nenin

**CALL TO ORDER**

Ms. Destefanis called the meeting to order at 6:10 pm.

**ROLL CALL**

Ms. Cherichetti took the roll call.

**DISCUSSION &/OR DECISION**

- a) **#S09-356 – 45 Karen Drive – Makanji/Amaya** – Construction of a rear two-story garage, deck and sunroom adjacent to a watercourse

Mrs. Cherichetti described the application for the construction of additions and the expansion of the existing driveway.

The applicant was not present so the application was tabled until the next meeting.

- b) **#S05-265A – 78 Cranbury Road/440 Newtown Avenue – CT Friends School Corp.** – Modification of permit to allow phased construction and renovation with associated parking and stormwater drainage in and adjacent to wetlands and watercourses

Ms. Cherichetti briefly explained that the applicant is seeking a modification of the original application.

Attorney David Waters, counsel for the applicant, began by describing the White Barn project and the previously approved construction of the school building. He stated due to

economical reasons the applicant would like to modify their approval to allow for the phasing of the construction project.

Ms. Cagnina asked if there were any changes to the overall footprint of the White Barn. Mr. Waters said that there were some minor changes involving small bump outs.

Mr. Caputo inquired whether this modification would impact the wetland area differently from the initial approval. Mr. Waters replied that there would be no greater impacts than previously approved.

Ms. Destefanis asked if the circular driveway by the barn would be the only change. Mr. Waters explained that it was only temporary and explained some of the other components that would be removed or changed during Phase II.

Ms. Destefanis asked about the new on-site septic. Mr. McChord, of McChord Engineering, stated that the septic would increase slightly to accommodate for more classrooms in the barn but would not change in its location from the previous approval.

Mr. Caputo asked what the current expiration of the approval is. Ms. Cherichetti said that the application is in effect until May 2010, with a possibility of a 5 year extension.

- c) **#S09-357 – 103 Dry Hill Road – Spielman** – Two lot subdivision of land with a watercourse and wetland

Ms. Cherichetti began by describing the proposed two lot subdivision. She stated that currently there is a stream located on the northwestern portion of the property where a residence already exists. The subdivision would allow for another residence to be built on the new lot located east from the current residence. The new residence would be approximately 90 feet from the watercourse.

Mr. Spielman, the applicant, described the reasons for the subdivision and the alternatives.

Ms. Destefanis asked that the applicant further describe the alternate plans.

- d) **#S09-358 – 16 Westview Lane – McKinley/Akroyd** – Construction of a second story addition, rear and front porch and other minor additions to an existing residence adjacent to a wetland and watercourse

Ms. Cherichetti described the proposed projects. She stated that the applicant was seeking to add a second story, rear addition and a front & rear deck.

Ms. Destefanis asked whether there was a proposal of any soil and erosion controls. Keith Akroyd, agent for the applicant, replied that there was silt fence to be placed around the construction site.

Ms. Cherichetti described the soil survey referred to in the soil scientist report. She described the location of the intermittent watercourse and added that although the site work would be in close in proximity to the watercourse, the scope of activity was still a fairly minor.

Mr. Hubbard inquired about the patio in the rear yard. Mr. Akroyd explained that the patio was pre-existing.

Ms. Cagnina asked what the current conditions were on site. Ms. Cherichetti replied that currently it is maintained as lawn.

Ms. Destefanis suggested that a defined silt fence and limit of disturbance area be conditioned with any possible resolution.

- \*\* MR. HUBBARD MADE A MOTION TO AMEND THE AGENDA TO SKIP TO BOND RELEASE/REDUCTION**
- \*\* MR. CAPUTO SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

#### **BOND RELEASE/REDUCTION**

- a) **#S06-262 – 32 Morehouse Lane – Bacon – Release of bond for deposition along riverbank for slope stabilization in and adjacent to wetlands and watercourse.**

- \*\* MR. CAPUTO MADE A MOTION TO RELESAE BOND #S06-262.**
- \*\* MS. WILSON SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

- b) **#S09-345 – 11 Bumblebee Lane – Gall – Reduction of bond held for site work stabilization.**

This item was tabled to the next meeting.

- c) **#S01-85 – 363 Main Avenue – Taiyanides – Release of bond for the maintaining non-permitted rear addition and to demolish another portion of existing building to be replaced with landscaping with in 30 feet of a watercourse and wetland.**

- \*\* MR. CAPUTO MADE A MOTION TO RELESAE BOND #S01-363.**
- \*\* MS. WILSON SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

#### **APPROVAL OF MINUTES**

- a) **September 22, 2009 meeting minutes**

- \*\* MR. CAPUTO MADE A MOTION TO APPROVE THE MINUTES WITH CHANGES.**

- \*\* MS. CAGNINA SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

#### COMMENTS OF STAFF

a) **Compliance Summary**

Ms. Bletsas reviewed the compliance summary.

b) **Report of Senior Environmental Officer**

#### COMMENTS OF COMMISSIONERS

a) **Report of Commission Chair**

There were none.

- \*\* MR. CAPUTO MADE A MOTION TO AMEND THE AGENDA TO BEGIN PUBLIC HEARING #S09-355 FOR 282 FLAX HILL ROAD FIRST
- \*\* MS. WILSON SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

#### PUBLIC HEARINGS (TO BEGIN AT 7:00 PM)

- a) **#S09-355 – 282 Flax Hill Road – KRPX Holdings, LLC – Three-lot subdivision of land and diversion of a watercourse**

Ms. Cherichetti took the roll call.

The public hearing was opened and the applicant asked to be tabled until the October 27<sup>th</sup> meeting in order to submit more information.

**The Public Hearing was continued until October 27<sup>th</sup> 2009.**

- b) **#S09-350—8 Norden Place—Norden Place, LLC—Construction of a multi-family residential building, four detached single-family buildings and associated parking, drainage and other activities in and adjacent to wetlands and watercourses**

Ms. Cherichetti took the roll call.

Ms. Destefanis recused herself. Mr. Hubbard acted as Chair.

Attorney Suchy described the general proposal and indicated site access on the site plan. She explained that the Public Hearing was continued to allow the applicant time to comment on Mr. Klein's comments.

Mr. Robert Jontos, Environmental Land Solutions LLC, addressed the environmental impacts of the proposal. He gave an overview of the suggestions from peer review. He explained the changes to the easement area to allow the maintenance of the detention pond and to include a greater majority of the wetland area.

Mr. Fred Mascia, engineer with Tighe & Bond, showed more detailed plans on the four channels located immediately south of I-95. The details represented the proposed site conditions.

Mr. Hubbard opened the hearing for public comment.

Ms. Cecelia Lapatelli stated her concern of the contamination of the property. She stated that she had spoken to the CT Department of Environmental Protection and EPA and referred the current application to them for review.

Mr. Rick Giordano referred to pollution on the site and provided EPA information regarding the contamination's effects on the wetlands and plant life. He spoke about remediation process and read an environmental report indicating the chemicals found and their environmental impacts.

Mr. Kenneth R. Sosnoski, Jr. agreed with Mr. Giordano and noted that consultants provide only what their clients want them to provide. He stated that he had issue concerning rate of flow and flooding. He encouraged the applicant to withdraw the proposal to save time and trouble.

Mr. David Park, 66 Strawberry Hill Avenue, supplemented previous statements regarding contamination and added that the homes in the area had received letters indicating that well water, as well as City water, had to be tested for contamination when the pollution was discovered on this site. He read the letter sent to the homeowners from the Health Department. He also read a letter sent from United Technologies to the Norwalk Health Department referring to the ground water.

Ms. Julian Pisacano, 40 Williams Street, stated her concern that the plumes of pollution would have on the health of the occupants.

Attorney Suchy replied to comments made by the public.

Paul Jobmann, environmental engineer for the applicant from Legette, Brashears & Graham, Inc., spoke in response to the citizen's concerns about on the plumes at the site. He stated that the site was under the CT Department of Environmental Protection's purview. He added that the pollution its self was monitored.

Michael Klein, of Environmental Planning Services and peer reviewer for the Agency, explained portions of his memorandum. He spoke on the proposed mitigation efforts by the applicant and the details of that mitigation that had been sorted out.

**\*\* MS. CAPUTO MADE A MOTION TO CLOSE THE PUBLIC HEARING.  
\*\* MR. HOLOWINKO SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY AND THE HEARING WAS  
CLOSED.**

Ms. Destefanis returned to the meeting.

**c) #S09-349—10 Douglas Drive—Nenin—Corrective Action deposition of fill and removal of vegetation in and adjacent to a wetland and watercourse**

Mr. Caputo recused himself and left for the evening.

Ms. Destefanis opened the public hearing.

Ms. Cherichetti took the roll call.

Ms. Cherichetti indicated that there were revised documents concerning the application.

Mr. Ivo Nenin described the planting plan that he had made for the application. He noted that the proposed fill closest to the wetland be moved twenty-five feet away from the wetland.

Ms. Cagnina asked how the slope would be stabilized and that more planting then proposed should be considered.

Ms. Destefanis remained concerned that the amount of fill in the area was underestimated. Ms. Destefanis also shared her concerns about the soil and erosion controls that would be needed with such a steep slope. She added that the silt fence should be continuously monitored.

Mr. Hubbard suggested that a final survey be taken to confirm the slope and the distance of fill removal from the wetland.

**\*\* MS. HUBBARD MADE A MOTION TO CLOSE THE PUBLIC HEARING.  
\*\* MR. WILSON SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

## **REFERRALS**

**a) Zoning Commission--#7-09R/#7-09SP—Norden Place, LLC—8 Norden Place—Proposed amendments to Section 118-711 to permit multifamily and single family dwellings by special permit in Restricted Industrial zone**

Ms. Cherichetti began discussion by referring to the previous memorandum given to the Zoning Commission in 2006.

Ms. Wilson stated that some of the information on the 2006 memorandum was not pertinent to the current proposed zone change. There was some discussion regarding each paragraph of the 2006 letter and its applicability to the current text amendment proposal.

The Agency agreed that the wording of the proposed residential use in the zone should be similar to portions of the PRD or Conservation Development regulations, which deduct wetland and watercourse area in the unit calculation.

## **DISCUSSION &/OR DECISION**

- a) **#S-09-350—8 Norden Place—Norden Place, LLC—Construction of a multi-family residential building, four detached single-family buildings and associated parking, drainage and other activities in and adjacent to wetlands and watercourses**

There was no further discussion this evening.

- b) **#S09-349—10 Douglas Drive—Nenin—Corrective Action deposition of fill and removal of vegetation in and adjacent to a wetland and watercourse**

There was no further discussion this evening.

## **II. ADJOURNMENT**

The meeting was adjourned at 9:40 pm.